URTS.

e Western Telegraph Company Enjoined from Paying Its Next Dividend.

A Claim That the Proposed Payment Is from the Capital and Not the Profits of the Company.

AN ALLEGED DODGE TO HELP SPECULATORS.

Continuation of the Argument in the Anti-Rapid Transit Suits.

egislative Lobbying for the Bleecker Street Railroad.

Judge Donohue, of the Supreme Court, yesterday granted a temporary injunction against the Western Union Telegraph Company, restraining the company from paying a dividend declared to be payable on the 15th of next month. Mr. Levi A. Dowley, a stockholder of the company, made the application through ex parte applications the papers were not read in court r the contents stated, but given privately to the Judge, who, after reading them, announces his action in the premises and returns them to the counsel. As soon as the fact of the granting of the injunction became known the HERALD reporter called at the office of the attorney whose name was attached to the papers on which the injunction was granted. It was there found that although the attorney had returned to his office from the court he had departed therefrom again, saying he was oing to the country, and leaving all in his office prolessing ignorance as to what he had done, why he did it, or what further he proposed to do in the matter. The next visit was made to the office of the Western It, or what further he proposed to do in the matter. The next visit was made to the office of the Western Union Telegraph Company. There the President of the company, Mr. Orton, was found. He was entirely ignorant of anything having been done in the matter, sithough, he said, there had been a sumor of such proposed action for some time past, but it was all for the purpose of speculation. Of one thing he was certainly not been a sumprise company owed nothing; there were no grounds for an injunction against it and when the matter costs dome before the Court on a motion to dissolve such an exparte injunction it could not stand a moment. He added that the papers in the case had not yet been served on the company, and, further, that as the company's dividend is not payable until the 15th of July next there will be pienty of time within which to wipe out this temporary injunction. On interviewing Judge Donohue in regard to the matter the latter took occasion in the outset to give it as his spinion that the code ought to be so amended as to prohibit counsel in cases like this from taking the papers out of court. As to the complaint upon which the injunction was asked for he stated that the substance of it was an averment that the proposed dividend was to be paid out of the capital of the company and not out of its profits. A tabular statement was submitted in support of this allegation, but whether true or otherwise of course he could not state, and upon this he granted the injunction. The granting of the injunction, however, would not be any fraud upon the company's rights, as in the interval before the fividend it would have ample opportunity to move for its dissolution and controver the allegations set forth in the complaint. The injunction was made returnable on the 8th of next month, when he case will come before the Court for argument and final disposition.

THE RAPID TRANSIT FIGHT.

Before Judge Sedgwick, in the Superior Court, ex-fudge Comstock renewed his argument yesterday on behalf of the Sixth Avenue Railroad Company in its suit against the Gilbert Elevated Railroad Company. He referred to the decision in the United States Su-preme Court in the Binghamtor bridge case, claiming that the decision in this case, stilled conclusively the fact that the defendants bays no legal right to construct their road over the track of the plaintiffs' road in the manner proposed. He also cited the court to rarious important decisions in the federal and State pourts, showing that the grant to run a railroad and follect fares was really a property of a ratiroad corpora-tion as much as its roiling stock. He streamously inted that it could not be taken away from them with out compensation under the constitution. In continsation, he said that his learned opponent did not dispute the fact that these rights existed, but attempted to evade it by saying that they do not louch the plaintiffs' property—not come within several inches of it. Inasmuch as they did, the plaintiffs, he contended, were entitled not only to their tracks but to the road outside of their tracks for the enjoyment of their franchises, whereas the defendants propose to crowd the track with iron pillars. In addition to this the delendants propose to run noisy trains of cars overhead, and the plaintiffs claim that their passengers should not suffer from this nuisance. The tranchise granted to the plaintiffs the privilege of running its read properly, and could not be taken from it without complemation. The State constitution guaranteed that no one could be deprived of property illegally; they had a right to enjoy their road free from intro. sation, he said that his learned opponent did not dis-

iranchise granted to the plaintiffs the privilege of running its road properly, and could not be taken from it
rithout compensation. The State constitution guaranleed that no one could be deprived of properly illegally;
they had a right to enjoy their road free from intraion; their rights were corpored rights; they were enlitted to the space above the track to the fixed stars if
secessary to the comfort of their passengers. The
whole matter resolved itself into three questions, and
the first question was, is there any legislation of the
state which in its terms and intent justifies the entry
in their avenue and building there such a road
is is proposed to be built by the defendants? The secand question was, if there is any legislation containing
tuch terms and expression of such intent, is it constiautomal? The third question was, if there is any such
egislation and it the same is constitutional in its genrule rappears, is it so in respect to private rights and in
electrice to the grantes in regard to private property
given in the federal and State constitutions? The debroadant, he insisted, must approve affirmatively all
those propositions. Having shown, as he caimed, that
inch property had been given and could not be, he
discussed the act of 1872 incorporating the Gibbert
Elevated Railroad Company, which act, he urged, did
not authorize the construction of the kind of road
shitch it was proposed to build. He contended, ferther,
that under the Rapid Transit act of 1875 no authority
riusis for building the Gibbert road, as such act only
allows the construction of the road upon consent of the
property holders, which had not been obtained in this
rise and could not be obtained. His argument, a good
deal of which was an elaboration of the protoned the autention of the Court for the entire month, and from the
mass of propers to be examined the presumption is that
a the opening of his argument on the previous day,
consumed the entire day. The various connect the intertion of the Court for the ent

to the revenues of the road; to present any bills it was necessary to have some one at presence of some one there to protect the company's interests was necessary; the sum of \$20,000, or a porno use having been made of it, except paying board, services in drawing bills and expenses generally; he knew of no money paid out by the company to have been used in influencing a vote in the Legislature, nor did he ever hear of it, nor has he any reason to believe that a dollar was so used; the person who represented the company at Albany was D. D. Canover; no one underteek to dictate to Mr. D. D. Conover what style of living he should adopt in Albany; if he kept open house he did it from his own taste; he (witness) never at tended any of his dinners or directed him to give them; he (D. D. Conover) always chaimed he had never been paid all he ought to have been paid; they substantially the extra cent, and did not understand that any money

so paid was to be used in influencing any member of Congress; so far as he ever heard the money was used in the legitimate advocacy of that measure; he had no reason to suppose that at the time the receiver was appointed the money of the company was short; the receiver had promised to take an inventory of the company's property with him, but never did it; notwithstanding charges as to deficiency in the money of the company made by the receiver on the day of election both the witness and Mr. Sharp were re-elected; he bought his interest in the road from George Law, for which he paid \$93,750 and \$20,000 to Mr. Eustis; the road as used now and partially equipped was so before the organization of the company, and when the company gaid for it it due so it stock and bonds; so far as he knows the money and accounts passed over to the receiver were correct; the motive for purchasing the stage lines was to get them off the atreet, they competing with the car lines, and he considered the purchase a bargan; the abolition of the privileges of the stage lines, and not the actual property obtained, formed the most substantial part of the contract; he never sought so to manage the road as to promote the interests of any other road or person, and it was never run in the interests of the Twenty-third street road; after the company was organized he bried every way to make saie of the bonds, canvassing Fourteeath street precy thoroughly, but found money matters so depressed that he could not succeed; in his judgment, if the road cannot be leased to parties having the moans to operate it, it must go to foreclosure.

On cross-examination by Mr. Salivan the same witness said that for the last fourteen years Fourtcenth street has been regarded as a ferry street, but various plans to that effect havo failen through; he could not say what is a fair value for the file leaker street property now; he cousidered the leaker street property now; he cousidered the leakers river to make it is a support of the paid to \$2,000 in greenback in man

SUMMARY OF LAW CASES. In the suit of O'Gorman vs. Kamak the motion before Judgo J. F. Daly was for a judgment instead of a new trial as ergoneously reported, a verdict having been given in the plaintiff's favor.

The suit which has been a long time on the court calendars, brought by General John C. Fremont against the Texas and El Paso Railroad Company, was yester-

the Texas and Ei Paso Railroad Company, was yester-day discontinued by consent.

A claim against Mr. William C. Harris was placed in the hands of Thomas Noian, attorney, for collection. A correspondence ensued between the parties in which Mr. Harris gave it as his opinion that Noian was evi-dently a pettriogger. Mr. Noian brought suit for \$20,000 damages and the case was tried yesterday before Judge Van Vorst, which ended in a verdict being given for the defendant.

DECISIONS. SUPREME COURT-CHAMBERS.

Bekant vs. Bekant.—Reference ordered.
In the matter of Raynor.—Denied.
Covert vs. Henneberger; Sinclair vs. Fitzpatrick, and
Barnett vs. Meyer.—Motions granted.
Grant vs. Baker.—Motion denied.
Steward and another vs. Groenka.—Denied. Memorandum.

COMMON PLEAS-EQUITY TERM. By Chief Justice Daly.

Jarvis vs. Olmstead.—Judgment for plaintiff. See

POLICE COURT NOTES.

Detectives Stillwell and Rielly, of the Central Office, yesterday morning arrested Joseph Doroin, of No. 118 West Fourteenth street, and Griffin T. Lefort, of Stapleton, S. I., composing the loan brokers' firm of Lefort & Co., at No. 363 Bowers, on a charge of detranding M. Jules Aubineau of \$400. M. Aubineau arrived here two months ago from Paris, and saw an adverthement in the newspapers calling for a partner in business at No. 363 Bowery. He answered the advertisement, and on the representations of Boroin and Leiort that they were doing a thriving business he was induced to place \$400 in the concern, and subsequently found that he had been deceived. On the case being brought before Justice Smith, at the Washington Place Police Court, yesterday, it was found on examination that a bill of sale and articles of copartnership had been duly executed and signed by Aubineau before he paid over the money, and that therefore the case was purely one for the adjudication of a civil court. The prisohers were discharged.

Sergeant Bergholz, of the Second District Court squad, yesterday siternoon arrested Andrew Hanley, the light weight prize fighier, on a charge of stealing a gold watch and chain, value \$165, from Jeremiah Daly, of No. 113 East Thirty-first street, while the latter was in his company on a drunken spree. Hanley, on being arraigned before Justice Smith, at the Washington Place Police Court, was remanded until to-day to await examination. in business at No. 363 Bowery. He answered the ad-

examination.

At the Essex Market Court yesterday, Henry Gerstol, a homeless vagrant, was held for trial for sneaking into the residence of William Johnson, Nos. 45 and 47 Howery, on May 1, and carrying off clothing valued at \$120.

\$120.
Charles Connell was held to answer at the newex Market Court yesterday, by Justice Bixby, for breaking into the carpenter shop of Charles E. Han on, at No. 45 Suffok street, and slealing \$7 worth of carpenter's too's.

COURT CALENDAR THIS DAY.

All courts but the following have adjourned for the

of the most technical character, to defeat a great public saterprise. To help them in this work they had called to their assistance that army of retainers which such sorporations always have in readiness. Their object was to break down an enterprise of great public offitty because it may interiere with their business and profits—a context between private cupicity on the one hand, and the general good of the city and people in the other. He spoke some three hours and was followed by it. Hangs on behalf of the Ninth Avenue Railroad Company. The latter attacked the various points raised on the other side and instated that there were abundant legal grounds for bringing the present action. His argument was in substance such as has irready been given in the prior attages of these rapid transit lititations. An effort will be made to finish the argument to-day.

THE BLEECKER STREET RAILROAD. The examination into the afairs of the Bieceker Street Railroad Company was continued yeaterday, before the referee, Mr Isaac Daj ton. Mr. John T. Competer, being examined by Mr. O. B. Bright, testified had, while president of the company be expended his two properties of the company is functioned with the company needed it more; he would have vacated at any time the premises occupied your for street and interest the company and would add the start of great value to the company and would add the start of great value to the company and would add the start of great value to the company and would add the start of great value to the company and would add the start of the compa

ALABAMA CLAIMS.

WASHINGTON, June 29, 1876. In the Court of Commissioners of Alabama Claims yesterday, in case 1,152, J. & W. R. Wing et al., of New Bedlord, Mass., torshe loss of vessel, outfit, &c by the destruction of the Brunswick, a vessel stove it by ice, and while disabled captured and destroyed by by ice, and while disabled captured and destroyed by the Shenandoah June 28, 1865, the opinion of the majority of the Court was announced and the following awards were made.—To J. & W. R. Wing, \$1,222 97; Lyman Wing, \$1,132 30; Joseph Faber, \$1,184 26; Amasa Whitney, \$424 97; Mary A. Church, administratrix, \$334 66; Cynthia Cummings, executitx, \$881 62; Joseph Hrownell, \$861 02; F. A. Barling, executor; \$1,063 12; Allen T. Potter, \$689 96; Francis E. Howard, \$317 93; Benjamin B. Church, \$1,152 30, and as "catch," \$5,922 30—the "catch" to be divided among those entitled thereto.

Judge Rayner announced his dissent from the majority of the Court, and said he would file hereafter an opinion giving his views.

Judgments were also announced in the following cases for loss of merchandise on the Electric Spark:—Case 1869, Sidney B. Bevau, of New York, \$1,200; case 1,912, Frederick Bauer of New Orleans, \$272 97.

THE BOND AND MORTGAGE FORG-

ERS.

A clear case has been established against Henry Hun neville Vincent and Richard N. Robbins, the bond and nortgage forgers, arrested on Tuesday. A confession has been made by the latter, which piaces the prisone Vincent in the position of the leader of the gang. In 1847 Vincent swindled Andrew J. Berrian and Archi bald Brown out of \$750. He was tried and sentenced victed of forgery in the first degree and sentenced to ten years in the State Prison. He was pardoned out by Governor Hoffman. In company with George H. Bacon, Richard N. Robbins and T. C. Walker, he started out the bogus bond and mortgage forgeries. On Wednes

the bogus bond and mertgage forgeries. On Wednesday he was sommitted by Justice Smith for trial in default of \$5,000 hall, while Robbins was remanded to Police Headquarters, where he made a confession.

ON THE EXAMINATION
being resumed yesterday morning at the Washington Place Court, Mr Prime made affidavit of complaint, alleging that on the 11th inst, he received from Mr. S. C. Johnson, in Philadelphia, a bond and mortgage purporting to have been signed by Mrs. Hannah G. Speedling, which Johnson sand were given him by Vincent in the presence of Robbins at No. 57 Broadway, for the purpose of borrowing or purchasing jeweiry and money. Mrs. Speedling then testified that the bond and mortgage in question had never been executed by her. Mr. Thomas P. Kippard, of No. 104 Bleecker street, testified to the presence of the prisoners in Johnson's office, and the leaving by them of the bond and mortgage there.

her. Mr. Ihomas P. Kippard, of No. 104 Hieceker street, testified to the presence of the prisoners in Johnson's office, and the leaving by them of the bond and mortgage there.

Robbins said, on being sworn, "The bond and mortgage there.

Robbins said, on being sworn, "The bond and mortgage now shown were given to me by Henry Hunneville Vincent, who said they were signed and executed by Hannah C. Speedling."

ACTING ON THIS EVIDENCE,

Justice Smith committed Vincent on a further charge of forgery in default of \$5,000 bail. Robbins was sent to the House of Detention as a witness against Vincent in default of \$2,000 bail.

In the afternoon Vincent signified his intention of informing on the remainder of the gang. Detective Ferris accompanied Vincent to the latter's house, where the prisoner produced two forged deeds, the first conveying five lost of ground at Fortyseventh street and Fifth avenue. The other lorged instrument was a deed and conveyance of the premises No. 54 William street. Both these forgeries Vincent declares were executed by Robbins. On the opening of the examination at lour o'clock yesterday evening a clear case of attempt to obtain money by false pretences was established against Robbins.

Mr. Francis Plain, a jeweller of No. 165 Sixth avenue, testified that on the 22d of June a proposition was made to birn through Mr. S. C. Sloane, the real estate broker, to exchange his stock of jeweiry and good will in his place of business, valued at \$4,500 for a mortgage purporting to have been given by Mrs. Anna C. Speedling to Henry H. Vincent, and held by Robbins Mr. Sloane testified that Robbins requested him to undertake the negotiation, and represented the instrument as genuine. Mrs. Speedling on being examined swore that the document was forged. Robbins on being formally examined gave his name as Richard Newman Robbins, aged sixty-five years, born in Massachusetta, a real catate speculator, residing at the Frankfort House. He was committed for examination. Other arrests may be expected in a few days.

STARVING IN THE STREETS.

DESPAIR AND LOVE OF A DESTITUTE MOTHER-OFFICIAL CHARITY TOO EXACTING.

Officer Mechan, of the Nineteenth precinct, charged Elizabeth Worth, at the Fifty-seventh Street Police Court, with abandoning her infant son on the steps of the Roman Catholic Orphan Asylum, Sixty-ninth street and Third avenue. He charged John Ryan, a school teacher from Budalo, with aiding Mrs. Worth in getting rid of her child. The officer said that he arrested Mr. Asylum, and that Ryan was around the corner of Third avenue watching for the police. Mrs. Worth admitted purpose of having him taken care of by the Sisters of Charity, but in connection with this admis

sion she told such a harrowing tale of destitution and misery that it won for the woman the sympathy of the Court.

She said she was a native of Newark, N. J., and was the mother of two children, boside the infant in her arms. She had been employed as wet nurse in this city, but through ill health had lost her breast milk and consequently her estuation. Her other two children were in the care of her sister, in this city, and, of course, it would not be right for her also to become a burden upon were in the care of her sister, in this city, and, of course, it would not be right for her also to become a burden upon her. Friends provided for her for several days, but she had not eaten anything for two days past, and her weak and exhausted condition was sufficient evidence of ner truthfulness. In fact she was barely able to remain on her feet before the Judge while she told her pititul tale. She said she did not want her infant, who was as dear to her as her life, to perish in her arms for want of food, and she asked Mr. Kellock, Superintendent of the Outdoor Poor, to send them both to a hospital. Mr. Kellock said that if she wanted to go to a hospital she should part with her infant, who would be sent to Randail's Island, and she had heard such frightful stories of the cruelty to the children of that place by their nursos that she refused the offer. She then applied to the Home of the Friendless for and, but she refused to leave her child there, either, because they would not promise to return the intile one to her when she might call for him. She had heard so much of the kindness of the Sisters of Charity, being herself a Protestant, that she determined in her extremity to appeal to them, and for the purpose went to the Roman Catholic Orphan Asylum above mentioned. One of the Sisters told her that they could not receive the child under the circumstances, but she understoed her to say that if left on the doorstep he would be taken in and cared for in the Herne. She took this as a lint, and walked from West Third street, where she sleep on Wednesday night, all the way up town to leave the child at the door of the asylum. At Pitty-ninth street she became exhausted and sat down on the sluewalk to rest. She then thought of the river and how easy it would be for her to close her troubled lite and put an end to her aufferings under its dark waters. The prisoner Hyan (who was on his way to the Third arene estables, and recognizing a fellow creature in misfortune) kindly offered his services in helping her to re

DISSEMINATING VICE.

Guion Ferdinand, Jules Freshet, Lazare Dreifuse Felix Dreifuss and Thomas Shoffe were resterday taken before Justice Wandell, at the Tombs Police taken before Justice Wandell, at the Tombs Poince Court, on a charge of seiting observe prints. The prisoners were erreated by Mr. Anthony Comstock and Detective J. A. Britton, assisted by officers of the Twenty-sixth precinct. On his way to the station house Lazare Dreifuss escaped from the custody of the officer and ran a distance of six biocks. The office s chased him and fired three shots, when he stopped and surrendered. The prisoners, who are employed by the Transmilantic Steamship Company, were held in \$2,900 ball each to answer. Detective litting superhated from Shode and that he made no attempt to make an arrest. Charges are to be made against him before the Commissioners.

WHAT IS FATHER'S IS MINE.

Frank C. Brown, aged twenty-one, sen of a Boston merchant, was arrested at the Fifth Avenue Hotel, where he is stopping, by Detective Dunlap, of the loston, charging bim with having forged his father's Roston, charging bim wish having forged his father's name to a check for \$3,000 and absconding with the preceds. Six hundred dollars were found in the prisoner's possession when arrested. He was dressed in the height of fashion, white flannel suit, fancy striped shirt, diamond studs, low cut patent leather shoes and striped stockings. On being arraigned before Justice Smith at the Washington Place Court he said he considered his father's money to be his own. He was remanded to the Thirtieth street station until to day.

AN ACTOR ROBBED.

William Biake, a comedian engaged at Tony Pastor's Broadway Theatre, on Wednesday night went out on a spree with John Turner, a song and dance performer, employed in the Thestre Compac. Turner invited him to his residence. No. 227 Chrystie street, where Blake remained all high. On waking up he found that his gold watch and claim, valued at \$100, were missing. He caused the arrest of Turner, who, on being arranged before Justice Smith, at the Washington Place Police Court, yesterday, declared he was impocent. Ho was held to answer in delault of \$500 bath. TOO MUCH MATRIMONY.

HOW A RASCAL WAS CONFRONTED WITH THREE WIVES WHOM HE HAD DECEIVED.

s McElroy, of No. 222 East Fifty-first ought up at the Futy-seventh Street Police Court by Officer Cottrell, Twenty-second precinct, on a charge of bigamy. It was alleged that he had three East Eighty-fourth street. To her be was married in April, 1868, the result of their union being a handsome boy. Both were in court to substantiate the complaint made by wife No. 3, whose maiden name is Annie H. W. Parks, and whom he married in Jamaica, L. I., M. Parks, and whom he married in Jamaica, L. I., on the 28th inst. The man who performed the marriage ceremony was a friend of the accused, and Miss Parks was given to understand that he was a regularly ordained minister of the Gospel. She now believes that he was merely a Justice of the Peace. She had given the prisoner \$2,000 in cash after their marriage. She got back \$500 of taind he deposited \$1,000 more in the Sixth National Bank in his own name. The remaining \$500 he rotained from which to pay expenses to be incurred by him is the sale of twe tenements in Providence, R. I., for which she had given him power of attorney. He was absent on this mission when wives Nos. 2 and 3 were brought together by friends of the former. Wife No. 3 then sent a despatch to McElroy, to Providence, asking him to hurry home, that she was very ill. This was to prevent his sale of the property in Providence, and it had the desired effect. He returned without loss of time, but only to be arrested as he stepped from the train at the Grand Central depot.

Judge Kilbreth said that the last two marriages having taken place out of this county he had no jurisdiction over the prisoner, but he remanded the acquised until the officials of Jamaics and Brooklyn can be nottlied of the case.

CLUBBED UNNECESSARILY.

Officer George H. Townsend, of the Twenty-second precinct, was arraigned at the Pifty-seventh Street Police Court on a charge of brutally clubbing Edmond Gourb, of No. 521 West Forty-second street. Beside RE DOLLARS AND TWENTY-FIVE CENTS FOR REMOVE THE MACHINE.

from my house. Now I am reduced by my husbandmany years sickness and the state of my boy's heat to great distress. The machine would help me to as ply them with the necessaries of life, but I have a the money to make the lest payment, and the machine the only means by which I can hope to get it, is tak away from me. Neither can I get a cent of the 3 already paid upon it. The man who persuaded me let the company take away the machine is nam Husschier. He said that I had better do so, or would put me to expense, as the company could get by a replevin suit. He said at the said time that If I bought it for a new of I was badly taken in. A lawyer of the city has offered to take my case up agair the company, if I can find the \$15 to pay it portion of the price remaining due, but I am pennile and so completely helpless. I could look to no one expect help in any direction; so I thought, at least would tell the Herald, so that others might be warm by my case." head. The clubbing took place on the 18th of June in head. The clubbing took place on the 18th of June in the bouse where Gough resides. Gough was arrested on the occasion, but was discharged on the admission of the officer, as has been already reported, that he had used his club "indiscriminately" on people whom he believed to have been his againate. Two witnesses, one of whom is a freeman, were in court and said informally that the clubbing of Gough was a most outrageous affair. The case will be taken up to-day by Judge Kasmire for examination. In the meantime the officer was allowed to go on his parole.

CARRYING BURGLARS' TOOLS.

In the Court of Special Sessions yesterday George Martin was found guilty of carrying burglars' and sentenced to the Penitentiary for twelve me

PACIFIC MAIL SUBSIDY.

In the case of the Pacific Mail Steamship Compan against Richard Irwin, to recover \$750,000 alleged to have been paid to him by Alden B. Stockwell, and illegally expended, a further hearing of testimony was set down for Jour P. M. yesterday. Owing to the absence of an important witness for the prosecution the refer-once went off until Friday next at eleven A. M. Among those present were Mr. Rufus Hatch, Richard Irwin, Mr. Vanderpoel, Mr. S. Boardman and the referee.

WHO PERISHED FIRST? Yesterday a case of some interest was brought be County Surrogate's Court. It appears that among the ill-fated passengers of the City of Waco who embarked for Galveston on board of that vessel in the early part of November, 1875, were Henry R. Rogers and Re-becca L., his wife. Mrs. Rogers had \$5,000 in the Williamsburg Savings Bank in her own name. Charles W. Rogers, brother of Henry R., made application to Surrogate Veeder for letters of administration upon Surrogate Veoder for lotters of administration upon the estate of his brother's wife, claiming that he was next of kin. The claim to Mrs. Rogers' money in the bank was on the ground that she died first. This fact is assumed by a presumption of law, that the husband being the stronger would survive the longer in the water. Mrs. T. Bates, of London, England, a sister of Mrs. Rogers, has eagaged counsel to look after the money in the bank, and a citation was issued requiring Charles W. Rogers to show cause why his letters of administration should not be set aside. The question before the Surrogate is which perished first, the husband or the wife? If both went down at the same time to whom does the \$5,000 go—to the wife's neirs or to the husband's? Capitain Block of the bark Lucinda, of Riga, Russia, the mate of the ship Caledonia, of Bath, Mc., Capitain Potta, of the Abdiel, of Liverpool, testified to being near the scene of the wreck and to the impossibility of asving any of the passedigers, the latter measioning the fading of a bedy which had been washed ashore having the name Henry Rogers on some of the ciothing.

**Another hearing will be given on July 20.

CAPTURE OF COUNTERFEITERS.

SUCCESSFUL BAID IN DROOKLYN BY THE DE-TECTIVES OF THE SECRET SERVICE BUREAU. The appearance of finely executed counterfeit notes t the denomination of \$5 on different national banks, which have followed each other in rapid successiduring the past six months, has been the source of unusual activity among the detectives of the Secret Service division in this city to discover the source whence queer" have been made, but in several instances the parties arrested were the victims and not the partici-But others were arrested, tried, convicted and senthe parties themselves made to the detectives, Chief Elmer Washburne was convinced that an extensive active operation within this city or Brooklyn. The whole force of the bureau has been at work for weeks past to discover the headquarters of the gang, and their exertious have resulted in a great success. Every past to discover the headquarters of the gang, and their exertions have resulted in a great success. Every precantion was taken by the principal counterfeiters to guard against surprise and capture, and it was only by "shadowing" them day and night that the detectives auccessed in ultimately bringing them to bay. This they have done effectually. The headquarters were raided on a night or two ago and a considerable quantity of the counterfeiters material was sciend and three of the gang were arrested. A dwelling house in a secluded part of the city of Brooklyn was the place selected for their operations. Here the detectives found eigenvers' tools, printers' material, dies and blocks, and all the finest outfit of the counterfeiters' art, together with \$70,000 in finished and unfanished counterfeit with \$70,000 in finished and unfanished counterfeit actually engaged at work when the detectives pounced upon them. The material sensed consisted of plates for the tase, the back, the Treasury seal and the signatures of the officers of the banks on which the counterfeits were to be made, in addition to which was a plate used for printing paper to resemble the farcous paper used by the Treasury Department. Two or three of the principal operators of the gang are still at large, but the detectives are on their track and they will soon share the close quariers of their associates Yesterday other parties were arrested in different parts of the city, detected in passing the counterfeit notes issued from the Brooklyn mint, on the Hampden National Bank, Massachusetts; the Merchants' National Bank, of New Bedford, and counterfeit notes issued from the Brooklyn gang. The names of the prisoners are Ransom Warner, Edgar Griffin and f. W. Jenkins, alias D. A. Craig. They were taken before United States Commissioner Osborn yesterfay, and held in default of \$10,000 bail each to await examination. The detectives are still at work and hope to bag the whole gang; but as the material for flooding the country with the well exceuted counter LOST TIME.

Mr. C. E. Frink, of himnesota, had his pocket picked of a watch and chain valued at \$225, while he was at-Grand street yesterday morning.

The ship Ladega, at pier 10, East River, was boarded by river thieres yesterday morning. A gold watch and chain and some jeweiry, valued in all at \$175, were stolen.

SOOTHING SYRUP.

Coroner Ellinger yesterday received a letter from Dr. Feiter, in this city, stating that he had been called to attend a sick child at No. 347 West Thirty-minth street yesterday inorning. When he arrived there title girl, Mary Jane Scantler by name, was dead. A draggiat in Ninth avenue, named Dirsher, had prescribed some medicine for the child to make it sleep. The doctor found a bottle of sootbing syrup, which the mother sam had "sootbed the life out of that child." The Coroner will make a thorough investiga-

HARLEM RACING STEAMBOATS.

Yesterday the United States local inspectors of stea ships in this city concluded their investigation into the cause of the collision between the Harlem steamboats Sylvan Dell and Harlem, which occurred on the 17th inst in the East River. Upward of fourteen witnesse were examined by the inspectors during Wednesda and yesterday. The matter was adjourned last even ing til July d. For four years past the inspectors navibeen attempting in van to put a stop to the practice of racing which exists between the Barlem opposition boats.

HOW CAN SHE LIVE?

ANOTHER TALE OF WARDSHIP AT THE MANDE OF A SEWING MACHINE COMPANY.

true some time has elapsed since the transaction be tween myself and the Weed Sewing Machine Company

look place, but that does not make it any the less bard

nary terms of payment. I did not understand the use of the machine and had never tried one, so I refused

payments as well as I could, but my husband is a son firmed invalid, and my sou, who was

would tell the menals, and all correspondence or lative to the case were shown to the reporter and seemed fairly to bear out the statement of the pool woman. It may be aided that the person making the complaint in apparently, a very well educated, re-

woman. It may be added that the person making the complaint is, apparently, a very well educated, respectable woman, caulous and careful in statement. When she recited the troubles that have come upon her by reason of the chronic sickness of her husband and son and her present destitution she was much moved, as she looked upon the recovery of the machine as her only escape from penury.

THE STATE BAR ASSOCIATION.

following delegates and alternates from the First Judi-cial dwiriet to the Convention for organizing a State

POLICE PRECAUTIONS.

The following general rder, containing directions as

yesterday atternoou:—
Upon Tuesday, the Fourth of the post, you will order on duty the whole of your coatsand, except that portion of it which may otherwise specially detailed. No leave of absence will be grated for that day except

householders, or who injurious mea fireworks in the evening.

You will be careful to regulateyour command so as to keep in the station house a subtent reserve of men to meet any sudden emergency that may occur, either within or without your precines, ad this reserve must be kept constantly ready.

It is important that your telegraphinstrement should be in proper working order and presery attended to by the sergeant in command.

HARD SWEARING ON BOTH SIDES.

SINKING FUND COMMISSIONERS.

BUSINESS TROUBLES.

PROBABLY FATAL ACCIDENT.

Francis Craft, of No. 182 Mulberry street, was yes reriang knocked down by a Fourth avenue car, on the corner of Broome and Mulberry streets, receiving a fracture of the skull and some wounds on the face and legs. He was rent to Bellevue Hountal.

geast in command. GEORGE W. WALLING, superintendens.

The Bar Association of this city has appointed the

Yesterday a highly respectable woman, at present in reduced circumstances, detailed to a Herato re-porter the following case of hardship, endured at the hands of a sewing machine company:— "I will state, sir," she began, "that the only reason One Hundredth Anniversary Battle of Fort Moultrie for help or redress but the NEW YORK HERALD. It is

CROSSING THE CHA

upon me. In 1872 I was called upon in the month of August by an agent of the Weed Sewing Machine Company and urged to take a machine upon the ordi-New York, South Carolina, George Massachusetts Clasping Hands

to take it. He went on insisting upon my taking it, and, although I really did not at the time want ONE COUNTRY, ONE DESTIN it, he sent one to me. During the whole time I had it I only used six apools of cotton upon it, and could have norm the machine but very slightly. I made my

CHARLESTON, & C., June 20, 1876 CHARLESTON, R. C., June 22, 1910.

The celebration of the Fort Moultrie Centens was opened Tuesday night by an imposing public ception to the visiting military at the Academy Council of Citizens, made an address of welcome, in the council of citizens, made an address of welcome, in the council of the was in 1776 for union among the people. Not there was in 1776 for union among the people. Not ing but frequent intercourse and that natural condense and respect which rests upon acquantages, or firmed invalid, and my son, who was

OUR ONLY SUPPORT,
had three or four long and dangerous sicknesses which
have permanently unditted him for work. During his
illnesses I had to deprive him of many things in order to
make the payments which I did. They amounted in
all to \$50, or \$15 loss than the whole cost of the
machine. Ou one occasion when the agent came I
told him the machine would not work, and that I was
sure it was a second hand one. He subsequently took
it away. I sont two ladies, as I was too lil to go myself, to pay the \$15, but instructed them not to do so
antil they had seen the machine that was to be sent
back to me, in order to try whether or not it was in
good working order. The man in charge of the company's office in finion square said the machine was not
there, and that I might consider myself lucky if I got
it back at all. Hesties the \$15 which was due upon it
the company claimed

THE MACHINE.

From my house. Now I am retineed by my husband's dence and respect which rests upon acquaintage, or correst the agitators who, for mischievous purpose and against the public good, are perpetually striving the pulled against the public good, are perpetually striving the pairs of this occasion is happily instrumental in montaing a better understanding between the section it will have accomplished its purposes and vindicate a claim to nationality. The spirit of 1776, now evokes indicates a broad and solid ground on which all indicates a broad and solid ground on which all stand; for that spirit elevates duty above all pers stand; for that spirit elevates duty above all personal aims. It places the general and permanent good of the people before all local objects and temporary interest applied to the present state of the country. It forbid us to cherish futile animosities, or to brood ever disappointment, while it oblives us to honor, everywher and at all times self-sacrificing devotion to duty Never may the American people cease to reverent theft dead of the late war; for whether in blue or i gray, these brave men laid down their lives in obed ence to what they felt to be the impulse of honor an the cell of their country. The humble graves throughout the land on which year after year the garlands are out the land on which year after year the garlands descendants will resilize that our country could me achieve her destiny without passing through suc trials (Applause.)

> In replying, Captain Noyes, of the Boston Light In fantry, and:—"One hundred years age, in storm and battle, the flags of the palmette and the pine floated together in defence of their principles and their native land, and new principles and their native land, a they are floating together again. (Applause, it is good to be here, and together to derive from the memories of the past a guide for the future. The names of Sumter, Rutledge and Marion are inter-woven with those of Hancock, Adams and others, and the patriotism of these men would be of no avail but for the glorious victories of Eutaw, Fort Moultris Lexington and Saratoga. Since those days, however in which the two States stood side by side, they have stood face to face in intestine strife. But the bittaness has passed away. The same stuff of which of Revolutionary sires were made is found in their de cendants, and each can respect and honor the oth The same stars shine above, the same dews bothe th

scendants, and each can respect and honor the other. The same stars shine above, the same dews bathe the graves of the gray and the bine, and surviving commandes of the deceased heroes have marched in column bearing floral tributes to decorate the turf on the last resting places of the sons of the North and the Bouth (Prolonged applause.)

Captain Mercor, of the "Savannah Blues," sately Georgia was one of the thirteen colonies which were into the revolution and achieved the glorious vistoer After that she had fallen back out of libut she heard the cry "Come back out of libut she heard the cry "Come back." With failtering she had come back, and was now again line, striving in friendly emulation with her cises states for the welfare of the whole Union. (Prolong applause.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse.) Georgia looks to the future; she has a spinuse and labors for the good of all. (Applause.)

ONS OF THE "OLD GUARD."

Major McLean, of the Old Guard, of New Said;—We have come here to testily our admit the velor with which you defended a cause brought sogrow and misfortuse to both seed to extend the hand of friendship and propowith you in bringing about that confidence in necessary to our prosperity. (Applause.)

State of the North greets the Empire State of the North greets

No leave of absence will be grated for that day except in cases of emorgency.

The number of accidents the usually occur on or about the Fourth of July, from he careless use of fire-arms, makes it necessary to vigously enforce the ordinance prohibiting the discharging of frearms of any description in the city of New Yok. The sale and use of dangerous fireworks, such arankes, "'chasers," 'double headers," 'Dioin or Jung America torpedees," is also prohibited by ordinee.

The ordinance prohibited by ordinee.

The ordinance prohibiting it discharging of firearms in the city of New York wing been amended, its provisious do not apply to rome or Fleetwood Colonel Wilder, of Boston, said; John God to-day we are a united people, and woods indiv blot out, we could, that page of history that marks the record affecternal strile. Yet thes record adds other name that will be glorious fit the next contary—ays, must sooner. It is to-day true sentiment of the sober seres thought, now the passions and prejudices of the hour hays cooled and soltened, and our children ways of the passions and prejudices of the hour hays cooled and soltened, and our children ways of the passions and prejudices of the hour hays cooled and soltened, and our children ways of the passions and prejudices of the hour hays cooled and soltened, and our children are honored to-day, and will be revered in history for any and to the list Lee and Jackson—aye, and Johnston their great service to the human race; and new les me add to the list Lee and Jackson—aye, and Johnston their great service to the human race; and new les me add to the list Lee and Jackson—aye, and Johnston their great service to the them are not whom you gave your boys, for a cause made holy to you by the cause they were the brave and irrue men to whom you gave your boys, for a cause made holy to you by the awful sacrifice of those who went forth to battle, with the baptism of a lather's blessing, a mother's prayer and sucrific entry is and if you fall to honor and remember the brave leaders you would have no just claim to the last of children's which we accord you.

As MI GOVERNON OF SOUTH OANOLINA.

Ex-Governor Bonham, of South Carolina, was the last speaker. He said:—If there was a man who went into the war with his whole spirit; I was the man (Cheers.) We gave you the best fight we had—the cheering —and when the war was ended I felt ansuits you regarded us as a foe worthy of your sicel, and we can assure you we regarded you in the annals of tory has the Anglo-Saxon race been engaged in such war. Feelings were engendered then that all most thank God, ended and obliterated. We felt that why a country less said our country. It is our

Commissioners Smith and Whester yesterday opened the trial of Patrolman Philip Smith, of the Twenty-ninth precinct, who was charged with gross and improper conduct. Madison square and asked him to tell he where she could find lodgings. He directed her b a house of assignation in West Twenty-sixth street. The officer denies the charge, and said that at the time of the alleged occurrence he was off duty and in his own house. The case has been referred to a full board for action. The Sinking Fund Commissioners met yesterday Mayor Wickham and Alderman John Reilly, Chaltman of the Finance Committee of the Common Council, of the Finance Committee of the Common Council, were absent. Acting Mayer Lewis, Comptreller Grein, Recorder Rackett and Chamberlain Tappen, the other members of the commission, were present, the acting Mayor presiding. The lease of the ferry running from the tool of Chambers street to Jersey City was smeaded to make the nearest of the franchise to the Eric Ratiway Company, the party in interest. Similar actions was taken in regard to the Twenty-third street ferry lease. The directors of the new ferry from Whitehall atreet to States Island were directed to make eight round trips daily. The Commissioners resolved to execute, in obscience to a mandamus, a lease to the People's Ferry Company of the ferry between Grand street, this city, and Grand street, Brooklyn. Mesers. Van Vorst. Bills & Co., cloth jobbers, of Broome street, have tailed. Their liabilities amount to between \$35,000 and \$90,000, and they show assets aggregating mearly \$50,000.

Thomas J. Miller, ten dealer, of No. 93 Water street, has made an assignment for the benefit of his creditora. The Ketipse Baxing Powder Company, of No. 159 Duane street, which was recently formed with a capital of \$20,000, is said to be in difficulties.

In the County Clerk's office yesterday there were filed assignments of F. A. Meincke te John L. Lindsey, Charles H. Mayer and Julian Samson to Emmanuel Ising, Thomas C. Stryker to Chester Wolverton, Henry D. Higgins to John D. Develin, Giles Vanberger and Simon N. Gangs to Solomon H. Butsell, and James C. Center to James H. Irwin. Messrs. Van Vorst. Bills & Co., cloth jobbers, of

The celebration as Fort Monitrie took place in parade ground under a mammoth tent. Over a persons were present. An address of welcome is visitors was delivered by Governor Chamberlain, which General Kerahaw pronounced the craities, which the keynote is given in the loftswing extract "South Carolina bins you welcome, three welcome greets you as brethren and friends and plading an untarnished faith and honor that it all not be the fault of her tree as matter or adopted, if our common country be not those of a happy, united and preserous pecule a her career onward and spward, gistious and triump ant forever. I speak to my crimitrymen—a Sout Carolinian—to Americans, let your ends be just; ask no more. Together let us obsterate the peasing and up its bruised and manifed victims and budgen in inducan waters all but the memory of its bruised and grand achievements—a common anal-glorious heritage of the American people. (Applaces.)

A SALUTE FROM THE PORT.

At midday the United States sloop of war Plymou ordered hither for the purpose by the Secretary of a Navy, anchored off the fort and fired a salute of the

(CONTINUED ON NINTH PAGE)